

Docket 07-42



City of Clarksville

Established 1833



800 WEST MAIN • CLARKSVILLE, TEXAS 75426 *copy* (903) 427-3834

FILED/ACCEPTED

November 15, 2007

DEC - 3 2007

Mr. Kevin J. Martin
Chairman, Federal Communications Commission

Federal Communications Commission
Office of the Secretary

Dear Chairman Martin:

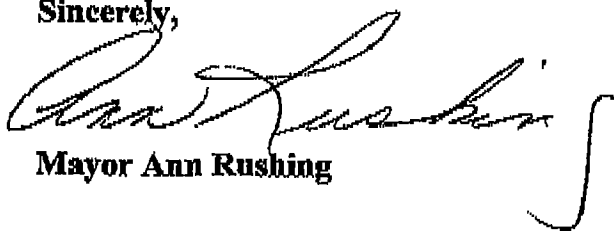
It is the expressed desire of many in our community that Texas football fans get access to the two Dallas Cowboy games, one Houston Texans game and the Texas and Insite Bowls that will be on the NFL Network later this year.

Millions of football fans will miss eight late-session NFL games if this conflict is not resolved soon. Fans need your help to bring America's greatest game into millions of living rooms. I agree with the many others that football fans in Texas should be able to see their favorite teams play without paying their local providers an additional fee to get access to the NFL Network.

Football is a very popular sport with an estimated 70 percent of team fans nationwide living outside their team's home media market, with hundreds of thousands of Dallas Cowboys fans supporting their team throughout Texas. Assistance is needed to negotiate a solution with the NFL Network in time for the late-season games being carried by the network for the benefit of the fans.

We ask for your assistance in this matter. Thank you.

Sincerely,


Mayor Ann Rushing

No. of Copies rec'd _____
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City of Dripping Springs

Drcket 07-42

P.O. Box 384
Dripping Springs, Texas 78620

(512) 858-4725

(512) 858-5646 Fax

November 15, 2007

FILED/ACCEPTED

DEC - 3 2007

Federal Communications Commission
Office of the Secretary

TO: Kevin J. Martin, FCC Chairman
FROM: Mayor Todd Purcell

RE: The Mayor of the City of Dripping Springs urging Time Warner Cable to negotiate a solution for the NFL Network

Dear Chairman Martin,

I feel that devoted football fans in the City of Dripping Springs deserve access to year-round football programming. Providers such as DirectTV, DISH, and AT&T U-Verse have all agreed to carry the NFL Network on basic tier programming; Time Warner Cable, however, has been offered the same fee structure as the aforementioned carriers, but still refuses to carry the NFL Network.

Time Warner Cable is the single largest cable provider in the state of Texas, and its presence in the City of Dripping Springs is, likewise, substantial. I therefore would urge you to carefully review and consider this request, as I feel it represents the views of a large proportion of our residents.

Please respond to me as soon as you can. I can be reached at 512-858-4725 or acraig@cityofdrippingsprings.com. Thank you in advance for your time.

Sincerely,

Mayor, City of Dripping Springs

CC: Texas Governor Rick Perry;
CC: Texas Lt. Governor David Dewhurst;
CC: Texas Atty. General Greg Abbott;
CC: Texas State Sen. Jeff Wentworth;
CC: Texas State Rep. Patrick Rose;

City of San Diego

404 S. Mier • (361) 279-3341 • FAX (361) 279-3401 • San Diego, TX 78384



Docket 07-42

November 15, 2007

FILED/ACCEPTED

DEC - 3 2007

Federal Communications Commission
Office of the Secretary

Mr. Kevin Martin
Chairman, Federal Communications Commission
445 12th Street SW
Room -B201
Washington, DC 20554

RE: MB Docket 07-42: NFL Network and Other Independent Programmers

Dear Chairman Martin:

I am writing to follow up on an issue that was brought to my attention regarding cable systems in Texas that are refusing to carry NFL Network. As the mayor of San Diego, Texas, I feel it is my duty to stand up for consumers in the wake of Texas cable companies' refusal to offer quality independent programming. I am asking that the FCC stand on the side of consumers when you consider program carriage issues as they relate to independent and diverse channels such as the NFL Network.

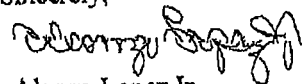
I turn to you since I understand that the FCC has opened a rulemaking proceeding (MB Docket 07-42) to consider program carriage issues such as these – particularly as they relate to independent and diverse channels.

I have seen a number of recent press stories noting that just like NFL Network and other independent sports channels – non-sports independent channels face discrimination from big cable companies that own channel of their own, and that some independent channels like the Oxygen Network are choosing to sell themselves to large media holding companies rather than to try to continue as stand-alone businesses. It is not a good trend since this increasing concentration will reduce media diversity and consumer choice.

I also note that in connection with another high-profile sports channel carriage dispute – the one between Comcast and the Mid-Atlantic Sports Network (MASN in the Washington, DC area in 2005 – the FCC's decision to appoint an arbitrator to settle the dispute caused the parties to reach a negotiated solution. I would urge the FCC to consider changing its rules to facilitate appointment of an arbitrator in disputes like the one involving the NFL Network, so they can be resolved more quickly (preferably through negotiation between the parties) and with consumers' interest foremost in mind. If such a mechanism were in place, it might help persuade the cable companies to negotiate a carriage deal with NFL Network before my constituents are deprived of the NFL Network game telecast that begin this season on Thanksgiving night.

Thank you for reviewing these matters.

Sincerely,



Alonzo Lopez Jr.
Mayor of San Diego, Texas

Cc: Governor Rick Perry
Lt. Governor David Dewhurst
Attorney General Greg Abbott
Senator Judith Zaffirini
Senator Juan Hinojosa
Representative Ryan Guillen
Representative ~~Yvonne Gonzalez Trounville~~

Encl

07-42

City of Caddo Mills
P.O. Box 490
2313 Main St.
Caddo Mills, Texas 75135
Phone # 903-527-3116
Fax #903-527-4382

CITY OF CADDO MILLS

FILED/ACCEPTED

November 16, 2007

DEC - 3 2007

Federal Communications Commission
Office of the Secretary

TO: Kevin J. Martin, FCC Chairman
FROM: City of Caddo Mills
DATE: November 16, 2007
RE: City of Caddo Mills City Council Resolution 111307 Urging Time Warner Cable
To Negotiate a Solution for the NFL Network

Dear Chairman Martin:

I have attached to this letter Resolution 111307 from the City of Caddo Mills that passed on 11-13-07. We feel that devoted football fans in the City of Caddo Mills deserve access to year-round football programming. Providers such as DirecTV, DISH and AT&T U-Verse have all agreed to carry the NFL Network on basic tier programming. Time Warner Cable, however has been offered the same fee structure as the aforementioned carriers, but still refuses to carry the NFL Network.

Time Warner Cable is the single largest cable provider in the state of Texas, and its presence in the City of Caddo Mills is, likewise, substantial. We therefore would urge you to carefully review and consider this resolution, as we feel it represents the views of a large portion of our residents.

Sincerely,



Manuel Leal
City Manager

RESOLUTION 111307**CITY OF CADDO MILLS RESOLUTION URGING TIME WARNER CABLE COMPANY TO NEGOTIATE A SOLUTION FOR THE NFL NETWORK**

WHEREAS, the National Football League is the most popular sports entertainment programming in the nation, with more than 100 million Americans tuning into an NFL game each week; and

WHEREAS, an estimated 70 percent of team fans nationwide live outside their team's home media market; with hundreds of thousands of (Dallas Cowboys or Houston Texans depending on market) fans supporting their team throughout Texas and across the county; and

WHEREAS, a dispute between cable television providers and the NFL Network prevented fans outside the home team market from viewing a key Dallas Cowboys game last season, and that ongoing dispute endangers the Cowboys viewership in our local television market for games this fall with the Green Bay Packers and Caroline Panthers, as well as a Houston Texans game with the Denver Broncos; and

WHEREAS, the cost of carrying the NFL Network is two cents per day per subscriber, making it a tremendous value; and

WHEREAS, Time Warner and other cable companies have thus far refused to offer the NFL Network as part of its basic package, but instead which to charge each subscribers at least five times as much, between \$5 and \$10 per month as part of a sports tier package; and

WHEREAS, the NFL Network not only offers eight games this season, but other popular year-round programming, plus two college football bowl games that may feature Texas teams from the Big 12 Conference and Conference USA; now, therefore, be it

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CADDO MILLS, HUNT COUNTY, STATE OF TEXAS, THAT;

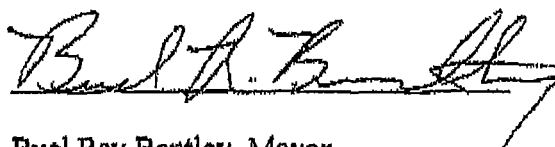
Section 1. The Mayor and Council of the City of Caddo Mills hereby respectfully urges Time Warner Cable to negotiate a solution with the NFL Network in time for the late-season games being carried by the network for the benefit of the fans.

Section 2. If the private corporations are unable to resolve this matter to the benefit of the fans, that the Legislature, the Public Utility Commission of Texas and appropriate federal regulatory authorities intervene and resolve this matter for the good of interested viewers.

Section 3. This resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, safety, welfare and dignity of the residents of the City of Caddo Mills.

WHEREFORE, this Resolution shall be in full force and effect immediately upon its passage by City Council and approval by the Mayor.

Adopted by Caddo Mills City Council on this 13th day of November, year 2007.



Buel Ray Bentley, Mayor

ATTEST:



Pam Miller, City Secretary



Dolet
07-42

Received & Inspected

NOV 13 2007

FCC Mail Room

Tony Goolsby
House of Representatives • District 102

Committees

*House Administration, Chairman • Judiciary • Licensing and Administrative Procedures
Speaker's Select Interim Committee on Higher Education • Texas Legislative Tourism Caucus, Secretary
American Legislative Exchange Council • Energy Council • Texans Care for Children • National Conference of State Legislators*

November 8, 2007

Mr. Kevin Martin
Chairman, Federal Communications Commission
FCC Commissioners
445 12th Street SW:
Room: 8-B201
Washington, DC 20554

FILED/ACCEPTED

DEC - 3 2007

Federal Communications Commission
Office of the Secretary

Dear Chairman Martin and Commissioners:

I know you have been and will continue to receive many letters like this. I have received many inquiries from my constituents and I would like to request that the FCC assist in resolving this dispute between cable operators and the NFL Network. It is my understanding the FCC could take up this issue in the coming weeks. It appears as if the only way this issue will be resolved for consumers and football fans is if an independent neutral arbitrator is appointed to bring the stakeholders together.

While it is not my desire to take sides in the dispute between the cable companies and the NFL Network, it is my desire to side with the football fans and consumers of Texas who have demonstrated a strong affinity for not only professional football, but also college football.

Nothing rates as high as Dallas Cowboys games in Texas as far as television programming is concerned. Unfortunately, millions of football fans across Texas are about to be deeply disappointed when they are forced to miss eight key NFL games that will be broadcasted on the NFL Network.. College fans will miss untold number of games that are important to them. You probably have a certain team in mind that is special to you.

For true competition to exist in cable programming, consumer demand must take priority over corporate profits. I just ask that you side with the fans and consumers on this issue and assign a neutral arbitrator to settle this dispute as soon as possible.

While I understand that primary jurisdiction on cable issues resides with the Federal Government, by copy of this letter, I am also appealing to our own Public Utility Commission to make every effort to protect the consumer as it transitions from local cable franchises to our recently enacted state-wide franchise system. Thank you in advance for your thoughtful consideration of this important consumer choice issue. Again, I know that you'll be getting a lot of letters on this but this is from the heart. If we can discuss this any further, please do not hesitate to contact my Capitol office. Your questions and comments are always welcome.

Sincerely,

Tony Goolsby
State Representative
District 102

cc: Public Utility Commissioners

AMERICA:

*Land of the Free,
Home of the Brave*

Capitol Office: P.O. Box 2910 • Austin, Texas 78768-2910 (512) 463-0454 • Fax (512) 463-1121
District Office: 6211 W. Northwest Hwy., Suite G-104 • Dallas, Texas 75225 • (214) 503-1900
<http://www.house.state.tx.us/members/dist102/goolsby.htm>



City of Dripping Springs

Rocket 07-42

P.O. Box 384

Dripping Springs, Texas 78620

(512) 858-4725

(512) 858-5646 Fax

FILED/ACCEPTED

DEC - 3 2007

Federal Communications Commission
Office of the Secretary

November 15, 2007

TO: Kevin J. Martin, FCC Chairman
FROM: Mayor Todd Purcell

RE: The Mayor of the City of Dripping Springs urging Time Warner Cable to negotiate a solution for the NFL Network

Dear Chairman Martin,

I feel that devoted football fans in the City of Dripping Springs deserve access to year-round football programming. Providers such as DirecTV, DISH, and AT&T U-Verse have all agreed to carry the NFL Network on basic tier programming; Time Warner Cable, however, has been offered the same fee structure as the aforementioned carriers, but still refuses to carry the NFL Network.

Time Warner Cable is the single largest cable provider in the state of Texas, and its presence in the City of Dripping Springs is, likewise, substantial. I therefore would urge you to carefully review and consider this request, as I feel it represents the views of a large proportion of our residents.

Please respond to me as soon as you can. I can be reached at 512-858-4725 or acraig@cityofdrippingsprings.com. Thank you in advance for your time.

Sincerely,

Mayor, City of Dripping Springs

CC: Texas Governor Rick Perry;
CC: Texas Lt. Governor David Dewhurst;
CC: Texas Atty. General Greg Abbott;
CC: Texas State Sen. Jeff Wentworth;
CC: Texas State Rep. Patrick Rose;



City of Colorado City

P O Box 912

Colorado City, Texas 79512

325-728-3464

Fax: 325-728-2597

Socket 07-42

FILED/ACCEPTED

DEC - 3 2007

Federal Communications Commission
Office of the Secretary

TO: Kevin J. Martin, FCC Chairman
FROM: Mayor, Jim Baum
DATE: November 7, 2007
RE: The City of Colorado City Council Resolution urging Time Warner Cable to negotiate a solution for the NFL Network

Dear Chairman Martin:

I have attached to this letter a City of Colorado City Council a Resolution that passed on November 13, 2007. We feel that devoted football fans in the City of Colorado City deserve access to year-round football programming. Providers such as Direct TV, DISH, and AT&T U-Verse have all agreed to carry the NFL Network on basic tier programming; Time Warner Cable, however, has been offered the same fee structure as the aforementioned carriers, but still refuses to carry the NFL Network.

Time Warner Cable is the single largest cable provider in the state of Texas, and its presence in the City of Colorado City is, likewise, substantial. We therefore would urge you to carefully review and consider this resolution, as we feel it represents the views of a large proportion of our residents.

Please respond to me as soon as you can. I can be reached at 325-728-3464. Thank you in advance for your time.

Sincerely,

Jim Baum
Jim Baum
Mayor

City of Colorado City of Colorado City

cc: Texas Governor Rick Perry;
Texas Lt. Governor David Dewhurst;
Texas Atty. General Greg Abbott;
Texas State Sen. Robert Duncan;
Texas State Rep. Drew Darby;

Texas Mainstreet City

CITY OF COLORADO CITY RESOLUTION URGING TIME WARNER CABLE COMPANY TO NEGOTIATE A SOLUTION FOR THE NFL NETWORK

WHEREAS, the National Football League is the most popular sports entertainment programming in the nation, with more than 100 million Americans tuning into an NFL game each week; and

WHEREAS, an estimated 70 percent of team fans nationwide live outside their team's home media market; with hundreds of thousands of (Dallas Cowboys or Houston Texans depending on market) fans supporting their team throughout Texas and across the country; and

WHEREAS, a dispute between cable television providers and the NFL Network prevented fans outside the home team market from viewing a key Dallas Cowboys game last season, and that ongoing dispute endangers the Cowboys viewership in our local television market for games this fall with the Green Bay Packers and Carolina Panthers, as well as a Houston Texans game with the Denver Broncos; and

WHEREAS, the cost of carrying the NFL Network is two cents per day per subscriber, making it a tremendous value; and

WHEREAS, Time Warner and other cable companies have thus far refused to offer the NFL Network as part of its basic package, but instead wish to charge each subscribers at least five times as much, between \$5 and \$10 per month as part of a sports tier package, and

WHEREAS, the NFL Network not only offers eight games this season, but other popular year-round programming, plus two college football bowl games that may feature Texas teams from the Big 12 Conference and Conference USA; now, therefore, be it

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLORADO CITY, MITCHELL COUNTY, STATE OF TEXAS, THAT:

Section 1. The Mayor and Council of the City of Colorado City hereby respectfully urge Time Warner Cable to negotiate a solution with the NFL Network in time for the late-season games being carried by the network for the benefit of the fans.

Section 2. If the private corporations are unable to resolve this matter to the benefit of the fans, that the Legislature, the Public Utility Commission of Texas and

Appropriate federal regulatory authorities intervene and resolve this matter for the good of interested viewers.


Section 3. We feel that devoted football fans in the City of Colorado City deserve access to year-round football programming. Providers such as Direct TV, DISH, and AT&T U-Verse have all agreed to carry the NFL Network on basic tier programming; Time Warner Cable, however, has been offered the same fee structure as the aforementioned carriers, but still refuses to carry the NFL Network. Time Warner Cable is the single largest cable provider in the state of Texas, and its presence in the City of Colorado City is, likewise, substantial.

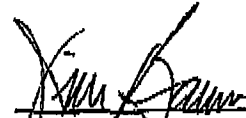
Section 4. This resolution and the actions encouraged in it are important to the quality of life of the citizens of the City of Colorado City.

WHEREFORE, this Resolution shall be in full force and effect immediately upon its passage by Council and approval by the Mayor.

PASSED AND APPROVED at a meeting of the City Council of the City of Colorado City, Texas, on the 13th day of November, 2007.

ATTEST:


Donna Madrid, City Secretary


Jim Baum, Mayor

CITY OF PINEHURST3640 MOCKINGBIRD
ORANGE, TEXAS
77630

Jocket 07-42

Phone:
(409) 886-3873Fax Phone:
(409) 886-7660

November 13, 2007

FILED/ACCEPTED

DEC - 3 2007

Federal Communications Commission
Office of the SecretaryMr. Kevin Martin
Chairman, Federal Communications Commission
445 12th Street SW
Room: 8-B201
Washington, DC 20554

RE: Pinehurst City Council Resolution urging Time Warner to negotiate a solution for the NFL Network

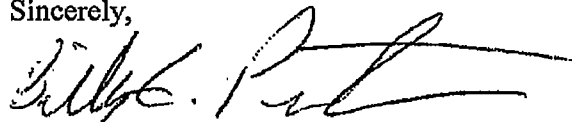
Dear Chairman Martin,

I have attached to this letter a Pinehurst City Council Resolution that passed on November 13, 2007. We feel that devoted football fans in Pinehurst deserve access to year-round football programming. Providers such as DirecTV, DISH, and AT&T U-Verse have all agreed to carry the NFL Network on basic tier programming; Time Warner Cable, however, has been offered the same fee structure as the aforementioned carriers, but still refuses to carry the NFL Network.

Time Warner Cable is the single largest cable provider in the state of Texas, and its presence in Pinehurst is, likewise, substantial. We therefore would urge you to carefully review and consider this resolution, as we feel it represents the views of a large proportion of our residents.

Please respond to me as soon as you can. I can be reached at (409) 886-3873 or Billy.C.Permenter@USdoj.gov. Thank you in advance for your time.

Sincerely,

Billy C. Permenter
Mayor, City of PinehurstCC: Texas Governor Rick Perry;
CC: Texas LT. Governor David Dewhurst;
CC: Texas Atty. General Greg Abbott;
CC: Texas State Sen. Tommy Williams
CC: Texas State Rep. Mike Hamilton
CC: Texas State Rep. Joe Deshotel

**CITY OF PINEHURST RESOLUTION URGING TIME WARNER CABLE
COMPANY TO NEGOTIATE A SOLUTION FOR THE NFL NETWORK**

WHEREAS, the National Football League is the most popular sports entertainment programming in the nation, with more than 100 million Americans tuning into an NFL game each week; and

WHEREAS, an estimated 70 percent of team fans nationwide live outside their team's home media market; with hundreds of thousands of (Dallas Cowboys or Houston Texans depending on market) fans supporting their team throughout Texas and across the county; and

WHEREAS, a dispute between cable television providers and the NFL Network prevented fans outside the home team market from viewing a key Dallas Cowboys game last season, and that ongoing dispute endangers the Cowboys viewership in our local television market for games this fall with the Green Bay Packers and Carolina Panthers, as well as a Houston Texans game with the Denver Broncos; and

WHEREAS, the cost of carrying the NFL Network is two cents per day per subscriber, making it a tremendous value; and

WHEREAS, Time Warner and other cable companies have thus far refused to offer the NFL Network as part of its basic package, but instead wish to charge each subscriber at least five times as much, between \$5 and \$10 per month as part of a sports tier package; and

WHEREAS, the NFL Network not only offers eight games this season but other popular year-round programming, plus two college football bowl games that may feature Texas teams from the Big 12 Conference and Conference USA; now, therefore, be it

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PINEHURST, ORANGE COUNTY, STATE OF TEXAS, THAT:


Section 1. The Mayor and Council of the City of Pinehurst hereby respectfully urges Time Warner Cable to negotiate a solution with the NFL Network in time for the late-season games being carried by the network for the benefit of the fans.

Section 2. If the private corporations are unable to resolve this matter to the benefit of the fans, that the Legislature, the Public Utility Commission of Texas and appropriate federal regulatory authorities intervene and resolve this matter for the good of interested viewers.

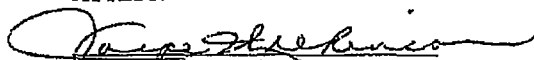
Section 3. This resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, safety, welfare and dignity of the residents of the City of Pinehurst.

WHEREFORE, this Resolution shall be in full force and effect immediately upon its passage by the City Council of the City of Pinehurst.

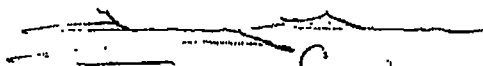
ADOPTED by Council: November 13, 2007.


Billy Permenter, Mayor

ATTEST:


Joyce Wilkinson, City Secretary

APPROVED:


Tommy Gurd
City Attorney



KENNETH P. ZEBROWSKI
Assemblyman 94th District
Rockland County

RECEIVED & INSPECTED

NOV 14 2007

FCC - MAILROOM

THE ASSEMBLY
STATE OF NEW YORK
ALBANY

Docket 07-42

COMMITTEES
Codes
Environmental Conservation
Government Employees
Judiciary
Labor
Libraries

November 8, 2007

FILED/ACCEPTED

DEC - 3 2007

Federal Communications Commission
Office of the Secretary

Mr. Kevin Martin
Chairman, Federal Communications Commission
445 12th Street SW
Room: 8-B201
Washington, DC 20554

Dear Mr. Martin:

I am writing to follow up on a number of constituent letters and emails I have received complaining that the cable systems to which they subscribe in New York are refusing to carry NFL Network. Many of those letters also note that those cable systems require them to purchase other sports networks—such as MSG Network and SNY—, which those constituents never watch and that my constituents are troubled by cable companies' discrimination against NFL Network and against high-quality, non-sports independent channels in favor of less popular channels that the cable companies own.

I turn to you, since I understand that the FCC has opened a rulemaking proceeding (MB Docket 07-42) to consider program carriage issues such as these – particularly as they relate to independent and diverse channels.

I have seen a number of recent press stories noting that – just like NFL Network and other independent sports channels – non-sports independent channels face discrimination from big cable companies that own channels of their own, and that some independent channels like the Oxygen Network are choosing to sell themselves to large media holding companies rather than to try to continue as stand-alone businesses. It is not a good trend, since this increasing concentration will reduce media diversity and consumer choice.

I also note that in connection with another high-profile sports channel carriage dispute – the one between Comcast and the Mid-Atlantic Sports Network (MASN) in the Washington, DC area in 2005 – the FCC's decision to appoint an arbitrator to settle the dispute caused the parties to reach a negotiated solution. I would urge the FCC to consider changing its rules to facilitate appointment of an arbitrator in disputes like the one involving the NFL Network, so they can be resolved more quickly (preferably through negotiation between the parties) and with consumers' interest foremost in mind. If such a mechanism were in place, it might help persuade the cable companies to negotiate a carriage deal with NFL Network before my constituents are deprived of the NFL Network game telecast that begin this season on Thanksgiving night.

Thank you for reviewing these matters.

Sincerely,

Kenneth P. Zebrowski
Member of Assembly, 94th District

ASSEMBLY
OF NEW YORK
ALBANY
H. P. ZEBROWSKI
Member of Assembly
Wyman 94th District
Main Street, 2nd Floor
Albany, New York 12242

WESTCHESTER NY 105

00 NOV 2007 PM 6 L



Mr. Kevin Martin, Chairman
Federal Communications Commission
445 12th Street SW
Room: 8-B201
Washington, DC 20554

RECEIVED & INSPECTED

NOV 14 2007

FCC - MAILROOM

20554+0000

